

CEDA Regional Planning Commission
Regular Meeting – 2 p.m.
Thursday, February 2, 2006

Administration Building
of the former Springview Center
3130 East Main Street
Springfield, OH 45505

AGENDA

1. Minutes – January 5, 2006 (Regular)

*Discussion &
Action*

2. Rezoning Case Tom and Vikki Burnett

S-2006-2

Springfield Township ~ 2 acres

3404 W. National Rd.

S (Specific Use Control District) to B-3 (General Business District)

*Discussion &
Action*

3. Staff Comments

Discussion

4. Adjournment

Action

www.clarkcountyohio.gov/planning

Minutes

Central CEDA Regional Planning Commission

Regular Meeting ~ 2 p.m.
Thursday, January 5, 2006

Administration Building of the former Springview Center
3130 East Main Street
Springfield, OH 45505

Mr. Max Cordle, Chairperson of the Central CEDA Regional Planning Commission of Clark County Ohio, called the meeting to order at 2:00 p.m.

Present: Mr. Max Cordle, Mr. Gene Barnett, Mr. Dan Kelly, Mrs. Kim Marshall, and Ms. Sally Riley.

Absent: Mr. Michael Spradlin.

RPC: 1-1-2006: Minutes ~ December 8, 2005 (Regular Meeting)

Motion by Ms. Riley and seconded by Mr. Barnett to approve the minutes as presented.

VOTE: Motion carried unanimously.

05-Z-19 ~ Rezoning Case ~ Dearth Resources, Inc. ~ City of Springfield ~204.76 acres ~East National Rd. at Titus Rd. ~A (Agricultural) to RDP (Research and Development Park District)

Heather Whitmore, City of Springfield Planning Staff, presented the staff report on the rezoning case submitted by Dearth Resources, Inc. Ms. Whitmore highlighted information contained in the staff report and on the maps and drawings. Staff recommended approval of RDP rezoning and the conceptual master development plan.

Mr. Cordle asked about the lighting plan.

Ms. Whitmore explained that the master plan for lighting is not completed. The driveway will be lighted. Specific site lighting will be determined at the time that the lot is built on.

Mr. Cordle wanted to know about the lighting and the landscape buffer on the east side.

Ms. Whitmore responded that they do not have specific landscape plans. The applicant may be able to provide more detailed information on landscape buffer and lighting plans.

Rick Espe (title is inaudible) stated that the fixtures will be (inaudible) fixtures (inaudible). Along the eastern border there is a large elevation change along Titus Rd. There is a lot of large existing vegetation along that property line. There will be a 50 ft. buffer along that side. Design guidelines provide for screening of any air conditioning units.

Mr. Barnett expressed concern regarding adequate drainage.

Mr. Espe stated that there are two drainage areas (watersheds) within this project. Half of the project flows to the north and half flows to the south. They are picking up stormwater drainage from a regional stormwater

system for the entire area. The stormwater drainage will be carried each direction using a ponds (one in the front and one in the back).

Mr. Barnett asked Christine Pence from Clark Soil and Water about the last bullet of her letter which stated "The proposed "prairie/pond areas" on the north side of the site do not benefit the other areas of the site where existing residential/business are located. He asked which areas she was referring to.

Christine Pence, Clark Soil and Water, responded she did not know that they were proposing a landscape buffer on the east side of the property between residential and commercial. It just appeared to her that they were proposing prairie along the front. She was not certain of the purpose of the prairie grasses and wetlands were (esthetics, wildlife, buffer).

RPC: 1-2-2006 ~ 05-Z-19 ~ Rezoning Case ~ Dearth Resources, Inc. ~ City of Springfield

Motion by Mr. Barnett, seconded by Ms. Riley to recommend Approval to the Springfield City Commission for the request of Dearth Resources, Inc. to rezone 204.76 acres located at the southwest corner of State Route 40 and Titus Road in Springfield Township/City of Springfield from A-1 to RDP.

VOTE: Motion carried unanimously.

S-2006-1 ~ Rezoning Case ~ Norman Hirst ~ Springfield Township ~ 3.92 acres ~ NE corner of Bird Rd. and Eichelberger Ln. ~ A (Agricultural) to R-1 (Single Family Residential District)

Philip Tritle, Planning Staff, presented the report on the rezoning case submitted by Norman Hirst. He highlighted information contained in the staff report and on the maps and drawings. The applicant proposes to divide the tract into three smaller one acre (approx.) lots. In order to do that, the applicant must rezone to R-1. The County Engineer noted that access would be directly available at Eichelberger Lane, so the corner lot would not have access to Bird Rd. Clark Soil and Water Conservation noted that the soil has a perched high water table from January to April but is not subject to flooding. There could be some limitations for dwellings with basements. A majority of the site appears to drain satisfactorily under the current use. There is not a suitable surface or subsurface drainage outlet available. Basements are not recommended due to the severe soil limitations. The Combined Health District performed a soil analysis and found that the lots are suitable for on-site sewage systems. The Crossroads Comprehensive Land Use Plan shows this area as Mixed Use Development which includes a variety of uses – commercial, residential, office, etc. The surrounding area is mostly single-family and agricultural. Reid Park is in the immediate area. Staff recommends approval of rezoning from "A" (Agricultural District) to R-1 (Residential).

Mrs. Marshall asked if all three lots have been perk tested.

Mr. Tritle responded that yes they have been.

There was a short discussion concerning the applicant's intention to create the three lots and keep a small sliver of land to attach to his other property. His driveway encroaches to the south and he

wants to ensure that his driveway is entirely within his property. The width of the sliver is about 20 feet.

Mrs. Marshall asked what the required road frontage is on Eichelberger Lane.

Mr. Tritle responded that it is a minimum of 150 ft.

RPC: 1-3-2006 ~ 5-2006-1 ~ Rezoning Case ~ Norman Hirst ~ Springfield Township

Motion by Ms. Riley, seconded by Mr. Barnett to recommend Approval to the Springfield Township Zoning Commission and the Springfield Township Trustees for the request submitted by Norman Hirst to rezone 3.92 acres located at the northeast corner of Bird Rd. and Eichelberger Ln., Springfield Township from A (Agricultural District) to R-1 (Single Family Residential District).

VOTE: Motion carried unanimously.

06-ZA-1 ~ Zoning Amendments ~ City of Springfield

Heather Whitmore, City of Springfield Planning Staff, presented the staff report on the proposed zoning amendments. In coordination with the Center City Association and Community Mercy Hospital, staff has completed the new zoning text for the Downtown Medical Campus (DMC) District. This is a request to approve DMC as a new zoning district. This is only a text amendment, and not a rezoning. Staff seeks to have this new text legislated by the City Commission by February 2006. Following the adoption of this text amendment, staff will initiate a rezoning of a portion of the Hospital Redevelopment Area.

RPC: 1-4-2006 ~ 06-ZA-1 ~ Zoning Amendments ~ City of Springfield

Motion by Mr. Barnett, seconded by Ms. Riley to recommend Approval of the adoption of the proposed Zoning Amendments to the Springfield City Commission.

VOTE: Motion carried unanimously.

Election of Vice Chairman

RPC: 1-5-2006 ~ Election of Vice Chairman

Motion by Mr. Kelly, seconded by Ms. Riley to appointment Mr. Gene Barnett as Vice-Chairperson of the CEDA Regional Planning Commission Board for the year 2006.

VOTE: Motion carried unanimously.

Minutes

Central CEDA Regional Planning Commission

Staff Comments:

None.

Adjournment

RPC: 1-6-2006: Adjournment

Motion Mr. Kelly, seconded by Ms. Riley to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:51 p.m.

Mr. Max Cordle, Chairperson

Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

Rezoning Case # S-2006-2

To: CEDA Regional Planning Commission

Date of Meeting: February 2, 2006

From: Planning Staff

Date of Report: January 24, 2006

Applicant: Tom & Vikki Burnett

Owner: Tom & Vikki Burnett

Request Action: Rezone from- S - Specific Use (Auto & Truck Sales & Repair) to B-3 (General Business District)

Purpose: Uses consistent with B-3 Zoning - Auction facility?

Location: SPRINGFIELD TWP. - 3404 W. National Rd.

Size: 2.00 acres

Existing Land Use: Auto, truck & trailer sales, car storage

Surrounding Land Use and Zoning

	<i>Land Use</i>	<i>Zoned</i>
<i>North</i>	residential	R-1 (Single Family Residential) & A (Agricultural)
<i>South</i>	campgrounds & residential	R-1 (Single Family Residential) & A (Agricultural)
<i>East</i>	commercial & residential	R-1 (Single Family Residential) & A (Agricultural)
<i>West</i>	commercial, Rockway School & residential	B-3 (General Business) & A (Agricultural)

ANALYSIS

This property was zoned B-3 (General Business District) in 1968. Rezoning to an I-2 District was submitted in March 2005, however this was not approved. In mid-2005, this property was zoned 'S'- Auto & truck sales & repair.

REPORTS FROM OTHER AGENCIES

(NOTE: Some reports are from the previous rezoning submission - check date of report)

County Engineer

The County Engineer has reviewed the request to rezone the property located at 3404 W. National Road, from B-3 zoning to a S Specific Use Zoning district for Auto/Truck Sales & Service.

Access to a major roadway (W. National Road) is directly available, via an existing drive. Changes or modifications to property may require the applicant to secure an updated access permit from Ohio Department of Transportation, District 7.

Drainage appear adequate under the present use, however additional buildings, parking areas, etc. that encompass more than 1 acre, will require the development of storm water facilities to address accelerated runoff and erosion control issues. In addition, the rear portion of the two-acre tract is steeply graded, in excess of 12%. This could be a concern, relative to constructability of the site and possible erosion problems due to the steep terrain.

Based upon our review of access and drainage, there are no objections to the requested change.
(See June 21st, 2005 letter)

Soil Conservation

The Clark Soil & Water Conservation District has reviewed the site and provided the following information relative to soils and drainage. There are existing structures on this site. The proposed rezoning, as indicated above, should not significantly impact soils and drainage. (See Jan. 11th, 2006 letter)

County Health Department

No report. This property is commercial and regulated by OEPA.

Ohio Department of Transportation

(Comments from previous report)

ODOT has no adverse comments on the rezoning from B-3 to I-2. However, we will want to do a review of detailed plans to determine if there is a change in use of the property, as per Section 2.10 of the State Highway Access Management Manual. Also, any work to be done in the State right-of-way will require a permit.

Planning Department

The **CROSSROADS** Comprehensive Land Use Plan indicates this area is low density residential development (2 to 4 dwellings per acre - gross density) Neighborhoods should be designed to connect with existing adjacent residential areas through stub street extensions. Clustering techniques should be considered to provide a transition to rural areas. Supporting commercial uses are not appropriate given the low density.

The Applicant has request rezoning of this property to its original zoning of B-3 (General Business District). It is currently zoned S - Specific Use (Auto & Truck Sales & Repair). The reason stated by the applicant for the rezoning is to use the parcel for "uses consistent with B-3 zoning" - possibly an auction facility use (mentioned by the Springfield Township Zoning Inspector).

RECOMMENDATION

The Staff recommends approval of this rezoning to B-3 (General Business District) under Springfield Township Zoning.

Attachments:

County Engineer's letter

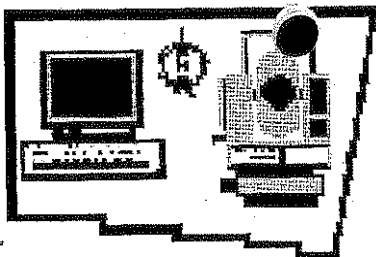
Soil & Water Conservation District's Letter

Location Map

Zoning Map

Lot Photo

Springfield Township zoning text



Clark County
Engineer's Department
4075 Laybourne Rd Springfield, Ohio 45505-3613
Bruce C. Smith, P.E., P.S.
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

www.clarkcountyoohio.gov/engineer

June 21, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle, Planner

Re: **Rezoning Request S-2005-6**
2.00 acres from B-3 to S District
3404 W. National Road

Mr. Tritle,

The County Engineer has reviewed the request to rezone the property located at 3404 W. National Road, from B-3 zoning to a S Specific Use Zoning district for Auto/Truck Sales & Service.

Access to a major roadway (W. National Road) is directly available, via an existing drive. Changes or modifications to property may require the applicant to secure an updated access permit from Ohio Department of Transportation, District 7.

Drainage appear adequate under the present use, however additional buildings, parking areas, etc. that encompass more than 1 acre, will require the development of storm water facilities to address accelerated runoff and erosion control issues. In addition, the rear portion of the two-acre tract is steeply graded, in excess of 12%. This could be a concern, relative to constructability of the site and possible erosion problems due to the steep terrain.

Based upon our review of access and drainage, there are no objections to the requested change.

Sincerely,

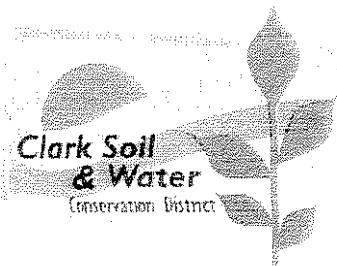
Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton
Deputy Engineer

Cc: Springfield Township

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer



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With the Right to Own – Goes the Duty to Conserve

BOARD OF SUPERVISORS

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Alan Donaldson, Vice Chairman
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January 11, 2006

Mr. Phil Tritle
Clark County Planning Department
25 West Pleasant St.
Springfield, OH 45506

RE: S-2006-26 ~ Burnett ~ 2 acres
S to B3 ~ 3404 W. National ~ Springfield Twp.

Dear Mr. Tritle,

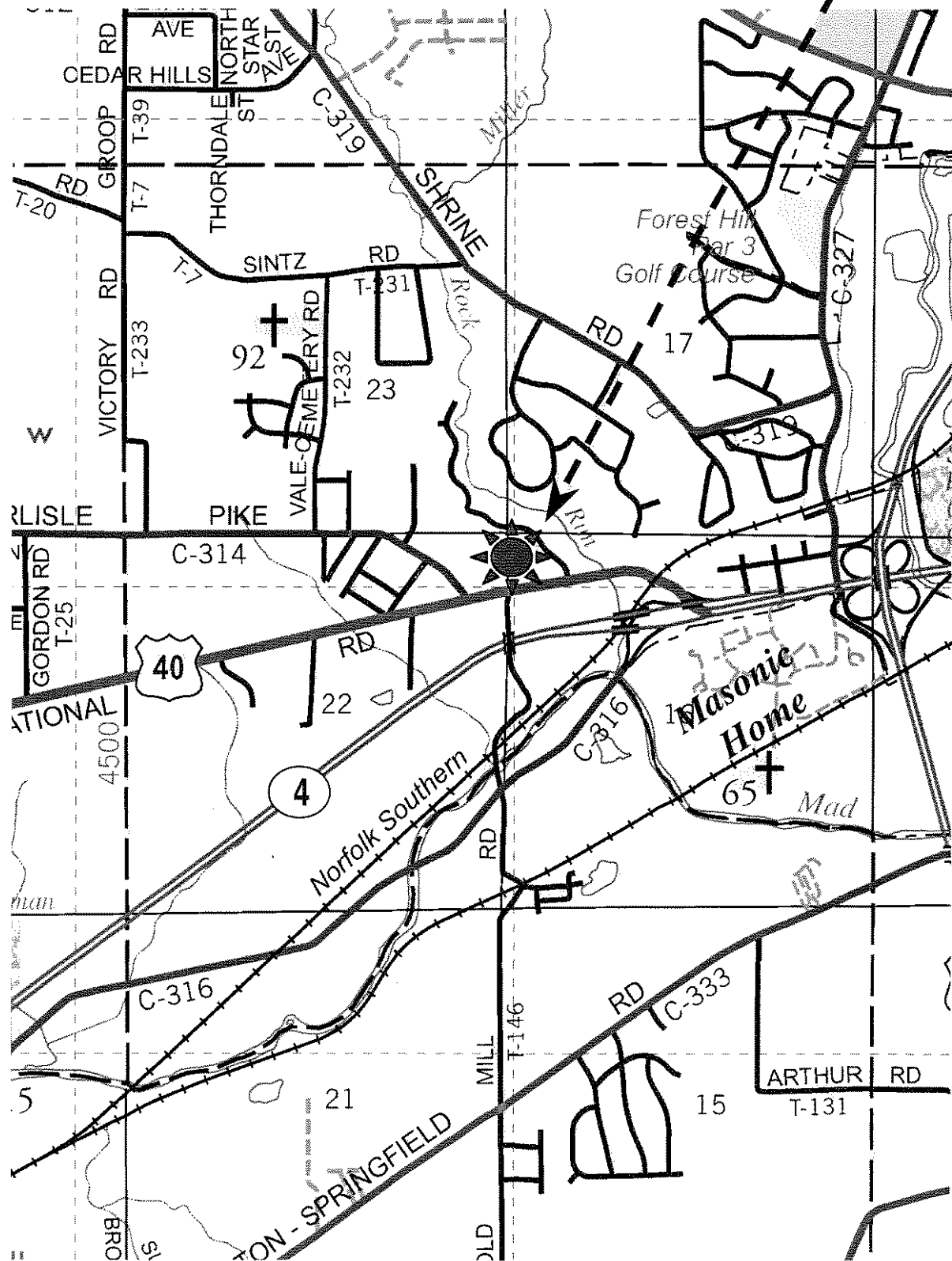
The Clark Soil & Water Conservation District has reviewed the site and provided the following information relative to soils and drainage. There are existing structures on this site. The proposed rezoning, as indicated above, should not significantly impact soils and drainage.

This office does not object to the above request, as proposed.

Respectfully,

Christine Pence, CPESC
Urban Coordinator

LOCATION MAP

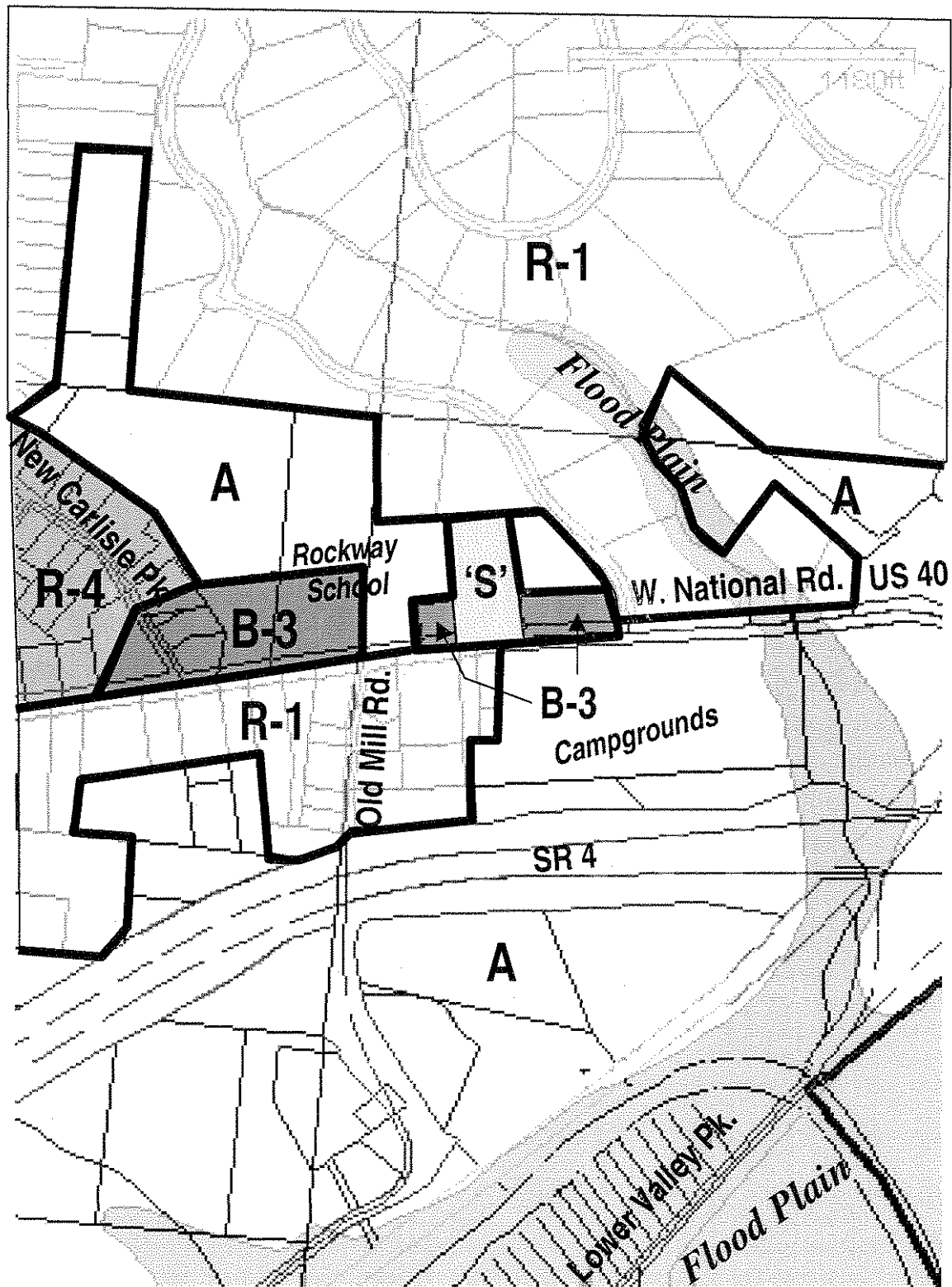


REZONING
'S' to B-3

2 ac.

3404 W. NATIONAL RD.
Springfield Twp.

ZONING MAP



REZONING
'S' to B-3

2 ac.

3404 W. NATIONAL RD.
Springfield Twp.

LOT PHOTO



REZONING 'S' to B-3

2 ac.

3404 W. NATIONAL RD.
Springfield Twp.

ARTICLE 13

"B-3" GENERAL BUSINESS DISTRICT

Section 1300 Intent

The "B-3" district as herein established is intended to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the local and community business districts. Open air business uses, when allowed as Conditional Uses, shall be regulated under the provisions of this district.

Section 1301 Principal Permitted Uses

- A. Any use permitted in Sections 1201 and 1202; however, the required conditions of Section 1304 shall be applicable.
- B. Automobile laundries (or wash) when completely enclosed in a building.
- C. Agricultural implement sales or service.
- D. Auction house.
- E. Bus passenger stations.
- F. Garden stores, garden centers, greenhouses, and nurseries.
- G. Hay, grain, and feed stores.
- H. New and used car salesrooms, showrooms, or office.
- I. Other uses similar to the above uses.

Section 1302 Conditional Uses

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval in accordance with Article 39, Section 3906.

- A. Businesses in the character of a drive-in or open-front store (including service stations and drive-in eating places) subject to the following conditions:
 - 1. Access points shall be located at least sixty (60) feet from the intersection of any two (2) streets.

- a. A setback of at least fifty (50) feet from the right-of-way line of any existing or proposed street must be maintained.
- B. Hotels, motels, subject to the following conditions:
 - 1. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.
 - 2. Each unit shall contain at least two hundred and fifty (250) square feet of floor area.
 - 3. No guest shall establish a legal residence at a motel.
- C. Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in a funeral procession; provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of the mortuary establishment.
- D. Outdoor sales space for exclusive sale, rent, or lease of new or second-hand automobiles, trucks, motorcycles, boat and marine equipment, mobile homes, utility trailers, all subject to the following:
 - 1. Access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.
 - 2. No major repair or major refinishing shall be done on the lot.
- E. Veterinary hospitals, clinics, kennels, or pounds, provided all activities are conducted within a totally enclosed main building, and further that all buildings are set back at least one hundred (100) feet from abutting residential districts on the same side of the street.
- F. Outdoor recreation (non-enclosed place of recreation or amusement) except for outdoor theaters; see Section 3701.

Section 1303 Accessory Uses

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

Section 1304 Required Conditions

No Zoning Certificate shall be issued for "B-3" use until the applicant shall have certified to the Zoning Inspector that:

- A. Drive-in windows for pick-up or delivery shall be located on and accessible only from the premises and shall be provided with adequate driveway space for waiting vehicles.
- B. All businesses shall be of retail, service, or recreational character.
- C. No manufacturing, processing, packaging, repair or treatment of goods shall be carried on, except when incidental or accessory to the performance of services or the sale of goods to the public on the premises.
- D. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property located in a residential district or upon any public street.
- E. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- F. Where the property lines separate a business district from a residential district, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
 - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
 - 2. A fence of a non-deteriorating material.
 - 3. Masonry wall.
- G. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provision of Article 34.
- H. No emission of toxic or noxious matter, which is injurious to human health, comfort, or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- I. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be

kept to a minimum by appropriate landscaping, paving, or other acceptable means.

- J. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- K. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.
- L. Outside incinerators shall be a minimum distance of fifty (50) feet from all residential lot lines. The incinerator, and all trash to be burned therein, shall be enclosed within a six (6) foot in height solid enclosure.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

Section 1305 Development Standards

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.